

Вісник Національної академії керівних кадрів культури і мистецтв № 1'2019

13. Smirnov A. V. (2012). Discursive practices as a tool for the study of everyday life. Vestnik Orlovskogo gosudarstvennogo universiteta, 2 (22), 264-267 [in Russian].
14. Taylor Ch. (2005). Sources for herself. Kyiv : Duh i Litera [in Russian].
15. Shynkarenko O. V. (2018). "Cultural turns" as a request for culturology. Ukrainski kulturologichni studii, 1 (2), 55-59 [in Ukrainian].

Стаття надійшла до редакції 04.09.2018 р.

UDC 351:342.7

Novak-Kalyayeva Larysa

Doctor of Science in Public Administration,
Professor of the Department of
Public Administration, Lviv Regional Institute for
Public Administration of the National Academy
for Public Administration
under the President of Ukraine
ORCID 0000-0002-2897-8858
novak.kalyayeva@gmail.com

Rachynskyi Anatoliy

Doctor of Science in Public Administration,
Professor of the Department of
Public Administration and Public Service,
National Academy for Public Administration
under the President of Ukraine
ORCID 0000-0001-9888-6978
arachynskyi@ukr.net

MULTICULTURALISM AS THE MOST CONSTRUCTIVE APPROACH TO THE PROSPECTS OF CIVILIZATION

The purpose of this article is to rationalize human rights as a prevailing tendency in the development of modern society and governance. In particular, the main aspects of the problematic in their dialectical interconnection are actualized as well as the processes of formation of the principles of social interaction in the historical retrospective are outlined. **Methodology.** The general research strategy is based on the methodology of public administration: on the basis of historical, axiological and dialectical methods, cause-effect relationships between social processes and phenomena have been substantiated, the result of which has been the introduction of human rights methodology, including the concept of sustainable development. **Scientific novelty** consists in expanding theoretical representations of multiculturalism as the most constructive approach to the prospects of civilization. The role of informational and technological influences on society and government as well as the importance of protecting the universality of the information space, its integrity and openness are emphasized. It is consistently held that human rights create a powerful democratic potential for constructive change, development, and progress of society and governance on the basis of social interaction. **Conclusions.** It is substantiated that interconnection and interaction of human rights and sustainable development imperatives have a significant effect on the democratization of public life and ensuring the rule of law not only at the local but also at the national and global levels of government. It has been proved that the problem and tension between the universality of human rights and the cultural interconnection of identities in a multicultural world are manifested by the crisis in the contemporary world humanitarian space and specific approaches to its solution. Far controversial understanding of human rights by societies of different continents, confessions, traditions, and cultures, which has led to the denial of the cultural conditionality of human rights, has been established.

Key words: culture; values; identity; human rights; priorities of sustainable development; social and intercultural interaction.

Новак-Калаяєва Лариса Миколаївна, доктор наук з державного управління, доцент, професор кафедри державного управління Львівського регіонального інституту державного управління Національної академії державного управління при Президенті України; Рачинський Анатолій Петрович, доктор наук з державного управління, доцент, професор, заслужений працівник України, професор кафедри публічного управління та публічної служби Національної академії державного управління при Президенті України

Мультикультуралізм як найбільш конструктивний підхід до перспектив розвитку цивілізації

Метою статті аргументація прав людини як переважаючої тенденції у розвитку сучасного суспільства й управління. Для її реалізації, зокрема, актуалізовано основні аспекти проблематики у їх діалектичному взаємозв'язку й окреслено процеси формування засад суспільної взаємодії в історичній ретроспективі. **Методологічна** основа наукового дослідження. Загальна стратегія дослідження базується на основі історичного, аксіологічного та діалектичного методів обґрунтовано причинно-наслідкові зв'язки між суспільними процесами та явищами, результатом яких стало впровадження методології прав людини, зокрема й у концепт сталого розвитку. **Наукова новизна** полягає у розширенні теоретичних уявлень про мультикультуралізм як найбільш конструктивний підхід до перспектив розвитку цивілізації. Відзначено роль інформаційно-технологічних впливів на суспільство та владу, а також важливість захисту універсальності інформаційного простору, його цілісності та відкритості. Послідовно проводиться думка, що права людини обумовлюють створення потужного демократичного потенціалу конструктивних змін, розвитку та прогресу суспільства й управління на основі суспільної взаємодії. **Висновки.** Обґрунтовано, що взаємозв'язок та взаємодія прав людини та імперативів сталого розвитку має значний ефект демократизації суспільного життя й забезпечення верховенства права не тільки на місцевому, але й на національному та глобальному рівнях управління. Доведено, що проблемність і напруження між універсальністю прав людини та культурним взаємозв'язком ідентичностей у мультикультурному світі проявляються кризою у сучасному світовому гуманітарному просторі та специфічними підходами до її розв'язання. Встановлено

далеко неоднозначне розуміння прав людини суспільствами різних континентів, конфесій, традицій і культур обумовило й заперечення культурної обумовленості прав людини.

Ключові слова: культура; цінності; ідентичність; права людини; пріоритети сталого розвитку; соціальна та міжкультурна взаємодія.

Новак-Калаяєва Лариса Николаевна, доктор наук государственного управления, доцент, профессор кафедры государственного управления Львовского регионального института государственного управления Национальной академии государственного управления при Президенте Украины; Рачинский Анатолий Петрович, доктор наук государственного управления, профессор, заслуженный работник образования Украины, профессор кафедры публичного управления и публичной службы Национальной академии государственного управления при Президенте Украины

Мультикультурализм как наиболее конструктивный подход к перспективам развития цивилизации

Целью данной статьи является аргументация прав человека как преобладающей тенденции в развитии современного общества и управления. Для ее реализации, в частности, актуализированы основные аспекты проблематики в их диалектической взаимосвязи и обозначены процессы формирования основ общественного взаимодействия в исторической ретроспективе.

Методологическая основа научного исследования. Общая стратегия исследования базируется на основе исторического, аксиологического и диалектического методов обоснованно причинно-следственные связи между общественными процессами и явлениями, результатом которых стало внедрение методологии прав человека, в частности в концепт устойчивого развития.

Научная новизна заключается в расширении теоретических представлений о мультикультурализме как наиболее конструктивного подхода к перспективам развития цивилизации. Отмечена роль информационно-технологических воздействий на общество и власть, а также важность защиты универсальности информационного пространства, его целостности и открытости. Последовательно проводится мысль, что права человека обуславливают создание мощного демократического потенциала конструктивных изменений, развития и прогресса общества и управления на основе общественного взаимодействия. **Выводы.** Обосновано, что взаимосвязь и взаимодействие прав человека и императивов устойчивого развития имеет значительный эффект демократизации общественной жизни и обеспечения верховенства права не только на местном, но и на национальном и глобальном уровнях управления. Доказано, что проблемность и напряжения между универсальностью прав человека и культурным взаимодействием идентичностей в мультикультурном мире проявляются кризисом в современном мировом гуманитарном пространстве и специфическими подходами к ее решению. Установлено далеко неоднозначное понимание прав человека обществами разных континентов, конфесий, традиций и культур обусловило и отрицание культурной обусловленности прав человека.

Ключевые слова: культура; ценности; идентичность; права человека; приоритеты устойчивого развития; социальная и межкультурное взаимодействие.

Introduction. The existing public administration systems in the vast majority of developed countries in Europe and the world are in a state of permanent reforms against the backdrop of dynamic changes in geopolitical balance, geostrategic imperatives, and relevant national strategies. There are changes in the attitudes and priorities of states, attitudes, and aspirations of individuals and social groups in different spheres of society's life. The public administration sphere during the second half of the XX – beginning of the XXI centuries has been substantially updated both as regards the interpretation of the role and place of governance in the context of social change as well as concerning methods and tools for the implementation of immanent governance functions. There is a need to clarify the conceptual approaches of government authorities to social interaction in crisis situations of different origins.

The methodology of scientific research of the indicated processes and senses is conditioned by the recognition of the principles of human rights as fundamental in the modern paradigm of public administration. The general strategy is based on the methodology of public administration, which defines its main stages in their dialectical relationship: the origin, evolution, and results of the institutionalization of human rights in the processes of European state formation are considered on the basis of the dialectical method of cognition. The dialectical method also allowed substantiating the causal relationships between social processes and phenomena, which resulted in the introduction of human rights methodology in governance theory and practice, including the concept of sustainable development. The basic imperatives of the development of modern society and governance are formed on this basis. At the same time, the interpretation of these processes has never been unambiguous in the historical retrospect and remains debatable nowadays. The historical method is used in the retrospect of European state-building and governance in the context of the emergence, establishment, and development of humanistic ideas. The axiological method has made it possible to characterize the social values which are accumulated in the concepts of human rights and sustainable development and are transposed to the criteria of the effectiveness of public administration.

The scientific community is carrying out an intensive search for fundamentals and principles of social interaction accepted by the society and governance and which could have a decisive influence on the development of them both. Such generalizations and proposals are presented, in particular, in the scholarly works of such researchers as Höffe O. [1], Leuenberger D.Z. [3], Okin S.M. [7], Spangenberg J. [8] etc.

However, the problems of human rights as a prevailing trend in the development of modern society and governance are insufficiently explored. This confirms the relevance of the topic and the timeliness of its consideration.

The actualization of the main aspects of the problematic in their dialectical interrelation. The recognition of a person as the basic social value of civilization is linked with the ideals of equality of all people in their dignity and rights and understanding of the inalienable nature of human rights. Nowadays such recognition has obtained a global meaning, without which public administration loses the prospect of being adequate to the demands and imperatives of the society in the development of public policies and global strategies. It is about the requirements of civilization advancement in the conditions of information and technological influ-

ences, robotics, deepening social and intercultural tensions amid the migration crisis and other crises derived from it.

Practical aspects and algorithms for the implementation of these values in governance activities, in their turn, are reflected in the global priorities of sustainable development, which develop and enrich the governance proclaiming the idea of closest interdependencies between nature, person, state and civilization [2]. The relationship between public administration, human rights and sustainable development of society is directly or indirectly linked to a number of declarations, other documents of global and regional integration structures. The 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015, provides Sustainable Development Goals (SDGs), which are an urgent call for action by all countries – developed and developing – in a global partnership [10]. At the same time, J.H. Spangenberg noted that “in summary, and with reference to the WCED definition of sustainable development, many human needs aspects are covered, and even long-term has forgotten ones are revived, but promises are not underpinned by instruments...” [8, 400–403].

As universal motives and factors of the functioning of the system of public administration in accordance with the needs of modern society, human rights and the requirements of sustainable development universalize the purpose of public administration and seek to generalize methodology, mechanisms, and tools for achieving this goal. Ability to interact and interdependence of public administration, human rights and priorities of sustainable development of society is determined by the objective conformity and comparability of the structure of these social institutions operating in the respective spheres of society and changing under the same factors. They are affected by identical factors in democratic countries. In particular, the level of development of productive forces and market relations simultaneously determines the state of the economy, the possibility of meeting the social rights of citizens and the prospects for sustainable development of society in terms of resource conservation and improvement of human potential. The level of professionalism of managers and executives of power structures simultaneously affects the quality of governance, the state of human rights implementation, the ability to ensure institutional stability, adaptability of power and self-governing structures at all levels of governance.

In this case, the functional value and constructiveness of the positions of one of these phenomena generate the congruity of others. Consequently, their relationship has not only a functional character but also a causal nature. There is an interdependence of the observance and protection of human rights and the level of controllability of public institutions and their ability to ensure implementation of the provisions of normative legal acts, organizational and other legal regulatory acts, which, in turn, determines the success or failure of the implementation of sustainable development strategies. The state of the realization of power at each particular time point determines the state of observance and protection of human rights and sustainable development in the future.

Formation of the foundations of humanistic values and social interaction in historical retrospect. Historical understanding of power, society and governance, human rights and, in general, humanistic values began in the ancient era. The concepts of “political freedom”, “equality of people”, “civil rights”, “human rights” were formed in Ancient Greece for the first time in the city-states. However, their limitations by then existing social conditions are quite clear. The limitations of these and many other concepts such as “justice”, “equality”, etc., were an inherent feature of ancient societies, given the individual nature of the personality, the rights that belong to and may be realized by this personality. The antagonisms present in the society then, and in our days, cause limitations in their implementation. The unity of the justice of the polis and the law was clearly expressed in ancient sources, the main actor of which – a person – was perceived as a carrier of personal rights, a free person and an active component of his own legal relations with the polis, that is, the state and its organs. Strengthening of the personal component in then existing socio-political life. The shift of emphasis from political and moral theories to practical issues of public administration and jurisprudence is characteristic of the philosophers and theorists of law in ancient Rome. Actual for our days remain the findings of Roman lawyers that in relations with individuals the state should not be above the rule of law, but to be a direct part of it, the inherent qualities of which are all the basic properties of law in general. The basis and criterion of the just, legitimate and correct in relations between the individual and the state, thus, was recognized the law, and not the state. The latter was obliged to be a law-abiding subject of legal relations, just like an individual, i.e. is to act in accordance with the general requirements of the law [4, 48].

In the Middle Ages Christianity and later Islam, in a sense, became the successors of ancient philosophy. The perceptions of freedom and non-freedom laid in one or another religious-philosophical system slowly influenced the perception of the wide sections of the population in the world. During several centuries for certain social groups, these ideas were embodied in legal norms – rights, freedoms, privileges. The Renaissance, the Reformation, and the Counter-Reformation, absolutist monarchies of the late Middle Ages tried to rationalize the divine source of state power, which actualized and affirmed in the minds of Europeans the problem of personal freedom and social justice in the governance practice. It significantly influenced their mentality in self-consciousness, in the perception of the idea of power and construction of their own position on the peculiarities of the interaction of state with the individual and society. The concept of human rights, which was formed and legitimized during the Great French Revolution of the XVIII century, led to the emergence of innovative for that period views on the priorities of society organization on the basis of a social

contract and interaction of a democratic state with a free person, state terror and dictatorship is the means of realization of the right to power. Its most valuable and crucial significance was the proclamation of human rights, which ultimately resulted in its justification and attractive force in spite of further terror and dictatorship.

Subsequently, the ideas of liberalism were confronted by anti-liberal fascist doctrines which even implicitly denied the idea of human rights and their implementation in the practice of state-building. The tragic experience of human rights abuses during the Second World War has prompted awareness among the world community of the need to institutionalize human rights at the international and national levels and to create a collective system of their protection. During the second half of the XX century, this gigantic work was carried out under the auspices of the UN and the European Union. The nation-state and its political institutions play a key role in the global institutionalization of human rights. At the same time, the state is the main active figure in dealing with the society in which it either protects or violates human rights. In those countries which have ratified them, international legal instruments play the role of real instruments for the implementation of human rights principles, ecological thinking and ecological governance imperatives, propose such standards which, if they are observed, are capable of reducing the stresses of crisis situations and promoting the international community through progress on the basis of constructive interaction and humanistic values.

Multiculturalism as the global meaning of modernity and the most constructive perspective of civilization development. Global content of modernity also focuses on the idea of multiculturalism as the most constructive perspective of the development of human civilization as far as the principles of coexistence. Separate interpretations of multiculturalism gave rise to discussions about the effects of capitalism and world wars on the interpretation of traditional cultures. According to C. Lévi-Strauss [3], after World War II, in particular, anthropology mainly relied on the results of the analysis of cultural life elements on the basis of the generalization of psychological, social and cultural characteristics in order to identify social structures by defining the rules of social behavior based on the affinity of political processes and to prove the influence of cultural models on the formation of personality. The researcher's conclusion that immutable deep structures exist in all cultures, and therefore that all cultural practices have comparable (homologous) analogues in other cultures in essence, and that all cultures are equal, does not lose in our days either relevance or polemical potential.

Traditional-historical differences condition the interrelations and equilibrium in the sense of liberal freedoms, political and social rights, depending on the specific characteristics of the environment. For example, S.M. Okin examining the gender aspects of intercultural cooperation, emphasized that the concern for the preservation of cultural diversity should not overshadow the discriminatory nature of gender roles in many traditional minority cultures, at least the "culture" should not be used as an excuse for rolling back the women's rights movement [6, 7–24].

The organic link between intercultural interaction and human rights was shaped in the institutional processes in this area, in particular, during the second half of the last century. Thus, in 1947, during the elaboration of the text of the UN Declaration on Human Rights, the American Anthropological Association proposed a "Statement of Human Rights", reflecting a distinct view of their universality. In it, in particular, it was emphasized that "standards and values are correlated with the cultures in which they occur" [9, 539–543]. Consequently, any attempt to formulate general postulates on the basis of representations or moral codes of one culture restricts the applicability of the relevant declaration of human rights to mankind as a whole. A fundamental standard of freedom and justice should be of fundamental importance, based on the principle that a person is free only when he can live in accordance with the understanding of freedom adopted in his society. This option would result in a range of tasks for international institutions and national governments as far as activities aimed at understanding and mentally harmonizing the idea of universal human rights on a global scale. Perhaps, sometimes, the speculative use of rhetoric about human rights and freedoms has become a consequence of an excessive assurance that such work is unnecessary, that everyone accepts the concept of human rights and intercultural cooperation anyway.

O. Höffe [1], reflecting on intercultural discourse on human rights conceptual issues, noted a possible excessive historicization, for example, in the sense of limiting the diversity and heterogeneity, and assumed the existence of supra-historical significant conditions of human existence, which is combined with the freedom from of any normativity that borders on chaos. Some researchers, including E. Riedel and G. Lemmann, used the definition of "collective human rights", drawing attention to the fact that a specific group that is, a state, a cultural community etc. could be the carrier of human rights. At the same time, O. Höffe noted that "intercultural discourses are required for the legitimization of human rights" but "...any thesis may have a universal significance only within a single culture, for example within the Western legal societies, perhaps even within one state, each citizen of which has fundamental rights" [1, 50]. Postmodern discussion on the conditions of radical pluralism reflected in the writings offered ways to preserve social diversity in the light of human rights.

Human rights as mainstream in the field of public administration modernizing. Globalization, integration, human rights, information and technological change, democratization, and decentralization of power are factors characteristic of the current stage of development of most national systems of public administration in the EU. The effect of these factors leads to the transformation of the determinant of modern concepts of pub-

lic administration from social to organizational and procedural concepts, which emphasizes the decisive role of public administration in achieving the positive ideals of a modern European society based on the idea of human rights [5]. The process of formation of the theoretical foundations and priorities of modern state administration of European countries developed simultaneously with the institutionalization of human rights and was predetermined by it. Innovative approaches in European governance relate to the perception of human rights priorities as organic, logical and non-alternative. This means that at a certain stage of development of the state administration human rights must be introduced as its methodological basis, and their observance, provision, and protection – become a real indicator of the authorities' efficiency. At the same time, it should be noted that the political-managerial elite plays a key role in the processes of democratic transit, defining the strategy and tactics of the state's development. Therefore, the creation of an elite corps for public administration, selection, training, and use of professional staff is a guarantee of political stability and welfare of the society [7].

Human rights should take the fundamental position in the political and institutional processes of modernizing the public administration system, defining human rights approaches in the functioning of democratic social institutions. It is a matter of significant public participation in the development of public policies; providing administrative services on the basis of unconditional respect for human rights; ensuring the rule of law through legal reforms and raising public awareness of the national and international legal framework, creating the real potential of institutional reforms; the fight against corruption through the creation of formal and informal institutions and mechanisms for the exchange of information and monitoring the use of public funds.

Information and technological impacts on society and government contribute to the approximation of state institutions to the population, the expansion and activation of educational management practices, the transformation of individuals into conscious citizens – holders of personal rights, freedoms, and opportunities. As a result, state institutions are able to offer the society a new paradigm of governance based on interaction with the public, who realizes human rights as an inherent property of personal citizenship and creates a real, not theoretical or only declared civil society. The global trends in this context are the protection of the universality of the information space, its integrity, and openness; elaboration and implementation of the counter cybercrime strategy; protection of the rights of individual users from the consequences of improper use of the virtual space on the basis of respect for democratic choices, human dignity and autonomy, solidarity and social justice; ensuring free and equal access and preserving the number of sources.

Conclusions. The interconnection and interaction of human rights as well as the imperatives of sustainable development happens when implemented by public administration authorities at the national level and has a significant effect on the democratization of public life and ensuring the rule of law not only at the local but also at the national and global levels of government. International human rights institutions are in a permanent scientific search for new forms of their activities, new algorithms for interacting with governments and civil society in an effort to increase its effectiveness in respecting and protecting human rights as well as their protection in the shortest possible time. The problematical character and tension between the universality of human rights and the cultural interconnection of identities in the multicultural world are manifested by the crisis in the contemporary humanitarian world space and specific approaches to its solution, in particular, against the backdrop of certain geographical characteristics and mental-psychological peculiarities of the origin of ethnic groups. Human rights and public administration, while interacting in the field of democracy and rule of law, create a powerful democratic potential that strengthens the democratic capacities and legal nature of state governance at the national level and fosters the integration structures not only by balancing the conditions and experience of governance but also through enriching them with own experience. These processes of mutual enrichment and energy exchange of constructive changes provide the society with a stable foundation, and management – with a global result of development and progress.

References

1. Höffe O. (1998). Transzendentaler Tausch. Eine Legitimationsfigur für Menschenrechte?, in: Stefan Gosepath/Georg Lohmann (Hg.), Philosophie der Menschenrechte 6. Auflage. Frankfurt am Main: Suhrkamp (Verlag) [in English].
2. Leuenberger D.Z. & Wakin M. (2007). Sustainable Development in Public Administration Planning: An Exploration of Social Justice, Equity, and Citizen Inclusion – Administrative Theory & Praxis Vol. 29. Issue 3. P. 394–411 [in English].
3. Lévi-Strauss C. Structural Anthropology (2008). Basic Books, Inc. New York [in English].
4. Novak-Kalyayeva L. (2012). The sources of forming of human rights concept in the process of European state formation. "Democratic governance" Academic papers collection. Issue 9. [in English].
5. Novak-Kalyayeva L., Kuczabski A., Sydorchuk O., Fersman N. & Zemlinskaia T. (2018). Conceptualizing of Priorities in the Dynamics of Public Administration Contemporary Reforms. *International Journal of Humanities and Social Sciences*. Vol. 12. No 6. Pp. 637–647. [in English].
6. Okin S.M., Nussbaum M., Cohen J. & Howard M. (1999). Is multiculturalism bad for women? Princeton, New Jersey: Princeton University Press. [in English].
7. Rachynski A. (2017). Influence of world transformational processes on the development of political-managerial elite in Ukraine. *Public Management Studio*. Vol. 2. [in Ukrainian].
8. Spangenberg J. (2016). Hot Air or Comprehensive Progress? A Critical Assessment of the SDGs. *Sustainable Development*. Vol. 25. Issue 4. pp. 311–321. [in English].
9. Statement on Human Rights by the Executive Board, American Anthropological Association, *American Anthropologist, New Series*. Vol. 49. No. 4. Part 1 (Oct.–Dec., 1947). pp. 539–543. [in English].

10. IISD's Post-2015 Development Agenda Reporting. Negotiations and Processes, available at: <http://enb.iisd.org/post2015>. [in English].

Стаття надійшла до редакції 13.11.2018 р.

UDC 323.15

Lysenko Oleksandr

Doctor of Historical Sciences, Professor,
Honored Scientist of Ukraine,
State Prize of Ukraine winner,
Head of the Department of the Institute of
History NAS of Ukraine
ORCID 0000-0002-4003-6433
ukr2ww@ukr.net

Tohochynskyi Oleksii

Doctor of Pedagogical Sciences,
Associate Professor, Rector of the Academy of State
Penitentiary service
ORCID 0000-0001-9446-8605
oleksii_tgch@ukr.net

Pekarchuk Volodymyr

Doctor of Historical Sciences, Associate Professor,
Professor of the Academy of State
Penitentiary service
ORCID 0000-0002-7750-1474
vladimirprkrk@i.ua

POLITICAL AND LEGAL TOOLS FOR ENSURING THE CULTURAL RIGHTS OF NATIONAL MINORITIES IN UKRAINE IN 1992-2018: BETWEEN DECLARATIONS AND REALITY

The purpose of the article is to characterize the political and legal means of regulating the cultural segment of the functioning of national minorities in Ukraine during the period of independence and to analyze the effectiveness of the legal and regulatory framework in resolving existing problems. **Methodological** approaches are based on polydisciplinary principles of studying the sphere of touch of ethnonational, legal, political and cultural phenomena. This involves taking into account theoretical developments in each of the scientific disciplines within which the specified range of issues is developed, as well as the application of the newest conceptual-categorical apparatus. Through the integrated use of interdisciplinary approaches, the state's steps to regulate the cultural sphere of activity of ethnic and national minorities in modern Ukraine are traced, shortcomings and perspectives are overcome. **Scientific novelty** of the research is to systematically analyze the factors that influence the process of adopting political and legal documents that meet modern international standards and could accelerate the resolution of pressing problems in this area. **Conclusions.** The current internal and foreign political situation in Ukraine hinders the rapid resolution of the problems accumulated over many decades in the political and legal regulation of the cultural segment of ethnic minority activity. The action of destructive internal and external factors artificially limited the ability of the state in this regard. At the same time, there are grounds for claiming that there is no goodwill in the political elites that are responsible for resolving such issues. It is necessary to realize that in a rapidly changing world, regulatory support for ethnic policy must respond promptly to the challenges of time and be updated accordingly. The problem of developing adequate tools for the legal provision of cultural rights of ethnonational minorities, as well as the prevention of crisis situations, remains a pressing issue. In order to achieve effective steps in this direction, the state must properly organize their financial and material support.

Key words: Ukraine; national minorities; state ethnopolitics; language and education policy; instruments of protection of cultural rights; legislative acts; state bodies.

Лисенко Олександр Євгенович, доктор історичних наук, професор, заслужений діяч науки і техніки України, лауреат Державної премії України, завідувач відділу Інституту історії НАН України; Тогочинський Олексій Михайлович, доктор педагогічних наук, доцент, ректор Академії Державної пенітенціарної служби; Пекарчук Володимир Михайлович, доктор історичних наук, доцент, професор Академії Державної пенітенціарної служби

Політико-правові інструменти забезпечення культурних прав національних меншин в Україні у 1992–2018 роки: між деклараціями та реальністю

Мета дослідження полягає у характеристиці політико-правових засобів регулювання культурного сегменту функціонування національних меншин в Україні у період незалежності, аналізі ефективності нормативно-правової бази у врегулюванні існуючих проблем. **Методологічні** підходи ґрунтуються на полідисциплінарних засадах вивчення сфери дотику етнонаціональних, правових, політичних, культурних явищ. Це передбачає врахування теоретичних напрацювань у кожній з наукових дисциплін, у межах яких розробляється вказане коло питань, а також застосування новітнього понятійно-категоріального апарату. За допомогою комплексного використання міждисциплінарних підходів простежуються кроки держави з урегулювання культурної сфери діяльності етнічних і національних меншин в сучасній Україні, з'ясовуються недоліки та перспективи їх подолання. **Наукова новизна** дослідження полягає у системному аналізі чинників, що впливають на процес ухвалення політико-правових документів, які відповідали б сучасним міжнародним стандартам і могли б прискорити розв'язання нагальних проблем у вказаній сфері. **Висновки.** Сучасна внутрішньо- і зовнішньополітична ситуація в Україні перешкоджає швидкому вирішенню